

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 251 be amended to read as follows:

- 1 Page 22, between lines 38 and 39, begin a new paragraph and insert:
- 2 "SECTION 7. IC 27-1-22-26 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 26. (a) As used in this
- 4 section, "armed forces" means the following:
- 5 (1) The Army.
- 6 (2) The Navy.
- 7 (3) The Air Force.
- 8 (4) The Marine Corps.
- 9 (5) The Coast Guard.
- 10 (b) This section applies only to an individual:
- 11 (1) who is applying for motor vehicle insurance; and
- 12 (2) who:
- 13 (A) is serving in one (1) of the armed forces; or
- 14 (B) has served in one (1) of the armed forces within six (6)
- 15 months before applying for motor vehicle insurance.
- 16 (c) As used in this section, "motor vehicle insurance" means any
- 17 type of insurance described in IC 27-1-5-1, Class 2(f).
- 18 (d) As used in this chapter, "rating plan" means the rating schedule
- 19 or rating plan of an insurer concerning premium rates for motor vehicle
- 20 insurance that has been filed with the commissioner and is in effect
- 21 under section 4 of this chapter.
- 22 (e) An insurer may not set the premium rate for a policy of motor
- 23 vehicle insurance for an individual described in subsection (b) at an
- 24 amount higher than the applicable rate set forth in the rating plan due to

1 the fact that the individual has not been covered by motor vehicle  
2 insurance for a period of time.

3 (f) **An insurer may not set the premium rate for a policy of**  
4 **motor vehicle insurance for an individual described in subsection**  
5 **(b) at an amount higher than the applicable rate set forth in the**  
6 **rating plan for an individual who is not described in subsection (b).**

7 (g) The violation of this section is an unfair and deceptive act or  
8 practice in the business of insurance under IC 27-4-1-4.".

9 Renumber all SECTIONS consecutively.

(Reference is to ESB 251 as printed February 20, 2004.)

---

Representative Fry